

March 21, 2005

**Arizona Department of Weights and Measures
Questions and Answers
For The Vapor Recovery Program
March 21, 2005**

1) Balance sites - what are the rules & requirements for changing hanging hard-ware?

ADWM answer - The requirements are spelled out in both the CARB executive orders and in the Department's Standard Operating Procedures with respect to changing out all hanging hard-wear.

2) When an RSR goes out to a vapor recovery site to change a hose, nozzle, break-away, or reconnect a reconnectable break-away (regardless if the nozzle replaced is a like-for-like nozzle)- the device cannot be placed in service until a licensed Vapor Recovery RSR tests the A/L on it and it passes - Please confirm this is true. Please list the consequences of not doing this?

ADWM answer - A.A.C. R20-2-602 (B)(1)(c) – States that the RSR must

“perform all appropriate tests when repairing a commercial device or repairing or replacing a vapor recovery system or component to ensure that the requirements of A.R.S. Title 41, Chapter 15, this chapter, Handbook 44, Handbook 112, and CARB Executive Orders are met.”

Until a repaired or replaced part can be shown that it meets the requirement spelled out in the regulations Under R20-2-907(A) it states that:

“The owner or operator of a gasoline dispensing site with stage II vapor recovery shall not transfer or permit to transfer of gasoline into any motor vehicle fuel tank unless stage II vapor recovery equipment is installed, maintained, operating and being used according to the requirements of A.R.S. Title 41, Chapter 15, Article 7, and this Article.”

The only way to make this determination once a system or component has been repaired or replaced is to test it and until compliance (L) & (M) has been shown the equipment cannot be used.

The consequences are stated in A.A.C. R20-2-104 which states The Department may impose civil penalties and up to revoke the RSR license.

March 21, 2005

3) When an RSR goes out to a vapor recovery site to change out a vapor vac motor - and he replaces it - the dispenser should be secured and bagged off until a tester can come and perform an A/L test and it passes. Please confirm this is true.

ADWM answer - Yes this is true based upon the citation in question number 2.

4) As discussed on Friday 3/4/05 with both of you - these procedures go into effect today Monday 3/7/05, thus we had a meeting with our RSRs this morning at 6 am. We will be practicing this effective today. I called 2 of our biggest clients on Friday to inform them as well, but there are so many sites out there that will be shocked and mad when we go out to repair a device and leave it down until a tester comes out and tests the device. Did you send out an informant letter to the sites to inform them - as this will have a great effect on their daily repair and maintenance bills?

ADWM answer - The Department understands it will take time to implement these new requirements. The Department will evaluate on a case-by-case basis as to the implementation of each element of the program. As discussed in the training session the first step in implementing these new requirements is to get the RSR licensed. This has proven to be more of a problem than originally anticipated. The next step will be to inform both the RSA and the station owners of what will be expected of them.

5) How soon is the next Vapor Recovery Test? We need this information ASAP - as I want to sign up some people to take it. In addition, if we go out and purchase this very costly new equipment today (as it will be a necessity) - your rules and requirements and consequences are not going to change subsequently are they? If these rules are true and nothing can change them - we need to order the equipment ASAP - please let me know the answer to this question ASAP.

ADWM answer - The Department has developed a testing schedule for the rest of the year. This schedule can be found on the Departments web site under the Vapor Recovery RSR page.

The regulations do not require any new equipment for testing. The rules were developed approximately three year ago through a stakeholder process and have just become affective. To change these rules the Department would have to go through another stakeholder process including public notice and hearing. At this time the Department believes

that it needs to work within the current rules first before looking at changes.

6) If any hanging hardware is replaced; is a complete system (pressure decay) required or just checking A/L?

ADWM answer - No only the piece of equipment that is being repaired or replaced will need to be tested. This is to confirm that it meet the requirements under R20-2-907. You should use the appropriate test to verify the equipment you replaced is operating as designed. The Department is willing to review any manufactures alternative test other than pressure decay.

7) What about over the counter sales that we do for customer's. We have several that are purchasing for vapor recovery tests, but I am also pretty sure that they are replacing this equipment themselves when needed. How will these repairs be monitored?

ADWM answer - The repairs are required to be made by an RSR they will have to have an RSR licensed to test the equipment after it has been replaced. The Department can track these repairs through the maintenance logs required to be on site.

8) The signature that is required by the tester stating that the system is ready for the state witness test; can it be dated the date we performed the pretest? I did not attend the class, but my understanding was that no repairs could be made 24 hours prior to the state witness test being done. If we need to sign this form as of the date of the test and we cannot make these repairs, we would need to shut the site down for that 24 hour interim to insure that nothing happened to the equipment we tested correct?

ADWM answer - The signature stating that the system is ready to test can be dated at the time of the pretest. The 24 hours is incorrect. The Standard Operating Procedure (SOP 306), distributed at the training class states that repairs can be made up to one (1) hour prior to the scheduled annual test time. So it would make sense that if a pretest is conducted that the RSR Tester could supply that signature at the time of the test.

9) When we replace hanging hardware on a "vac assist" system, if we just check A/L, what about on a balance system. Those leaks are found during the pressure decay test, so therefore, we would need to perform pressure decay for a nozzle replacement or any other hanging hardware on a balance system correct?

ADWM answer - The objective is to make sure that when repairs are made to a vapor recovery system you must make sure that the system is operating in accordance with R20-2-907 and if the only way you can make that determination is through a pressure decay test you must perform that test. In the case of a balance system if that determination can be made by a visual inspection then that can be done. As an RSR you have to make that determination.

10) If the hanging hardware is just an A/L test, where is the cut off for this? If we have an error in a dispenser for the vac motor or motor control board, the vac motor affects the A/L so is this all we would test for this? Would the cut off be at the shear valves for pressure decays on a system?

ADWM answer - You need to understand the system and the objective. The objective is to ensure that the equipment once repaired is operating properly and that the Vapor recovery system is operating in compliance with the CARB executive orders and state law. To ensure this you have to evaluate at which point did the repairs affect the system and where do we need to check this. This is part of having a thorough knowledge of the system as required under A.A.C. R20-2-601.

11) I received the e-mail for the requirements of materials needed for the retest. Does each technician require a complete set of Stage I and Stage II CARB Executive Orders? Or just the number with the description and the date. I have complete copies of them printed for the office only. It takes up three large notebooks and this will take quite a lot of room for each technician to bring the complete set along with the complete set of test procedures and the Title 20, Handbook 44 and 112? I just wanted to check so that I make sure they are covered completely.

ADWM answer - Yes each RSR must have his or her set of materials. They should make sure that they have those materials with not just for the test but also in the field so that if they have a question about a particular system or a situation in the regulations they have the material to answer that question. It is the Responsibility of the Registered Service Agency (RSA), under A.A.C. R20-2-601(1)(b) the RSA is required to provide its RSR with a copy of the portions of Statute, regulations, handbooks, and CARB Executive Orders. If the RSR is to do his or her job as required under A.A.C. R20-2-602(B) they should have the required documentation with them in the field. The Department is giving an open book test so in order to pass this test they each should have their own materials.

12) We will be sending the balance of our technicians to the next class. We are doing this since they will possibly be running tests during repairs so they will need to be certified also and we do not want to get into a situation where our certified guys are not available to run a test after a repair is made so we want to

March 21, 2005

have all of our technicians VR certified also. Could you please let us know when the next class and then test will be? I know in the e-mail it will not be until later in the year, but we would like to get our techs certified as soon as possible.

ADWM answer - You need to remember that as an RSA you are responsible to make sure your people are qualified to do the testing. Under A.A.C. R 20-2-601(A)(1) the RSA must provide evidence that "The applicant's registered service representative has a thorough knowledge of all appropriate laws within A.R.S. Title 41, Chapter 15, Handbook 44 Handbook 112, CARB Executive Orders, and this Chapter;" This is a requirement of the RSA any training that they will need to demonstrate to you that they meet this requirement is up to you.

13) And last, (for now) what telephone number should the technicians be calling for advising of pump left out of service and what information do you want during this call? Mike left a message this morning on the main switch board regarding a Quiktrip dispenser. We weren't sure where and what. Please let us know.

ADWM answer - The RSR should be informing you or us of the time, locations, BMF number, and the equipment taken out of service. The number is 623-463-9943.

14) Are we supposed to perform A/L tests on any vapor recovery parts that are replaced? If we replace any hose, nozzle, breakaway, Vapor Vac motor or vac drive boards do we perform A/L tests?

ADWM answer – Yes you would have to conduct the A/L test. That would be the appropriate test for replacement of those parts. As part of being an RSR and having the knowledge required under R20-2-601 "Qualification; License and Renewal Application" you should know which test would be required to demonstrate that the repaired or replaced component is operating properly.

15) After we perform these repairs and A/L test do we need to file a placed in service report? I have had a few phone calls from other contractors that perform service with this same question.

ADWM answer – Only as required under R20-2-603. As part of that place-in-service report you will also have to attach the Repair or Replacement Test Verification form with the result of the test that were conducted. This was a requirement that the Department requested in the Vapor Recovery Alert No. 4. The Department will publish the response to these questions so that other contractor can have the benefit of the Departments answers.

16) Also regarding service and repairs to tank yard or vent parts:

ADWM answer - The same requirements would apply the system or component being repair or replaced must be tested and a place-in-service report submitted to the Department "When a registered service agency restores or newly places in service a commercial device, the service agency shall complete a place in service report form prescribed by the Department." As stated under R20-2-602(A)(2).

17) If we replace fill or vapor adaptors and snap caps or PV vent caps do we fill out P.I.S.R.s?

ADWM answer – Under R20-2-602(A)(2) "Duties" it states, " When a registered service agency restores or newly places in service a commercial device, the service agency shall complete a place in service report form prescribed by the Department." If the component or system has been placed out of service by the Department or the RSR and the RSR has repaired it and is putting it back into service the placed-in-services report is required. Additionally, if the system or component is a new placement then the placed-in-service report is also required under those conditions. Along with the placed-in-service report you are also required to submit the test results for that system or component to verify that it is working as designed. General maintenance of the system would not required a place-in-service report be submitted to the Department.

18) I know that we can test these parts prior to installation with our pressure/vacuum tester but at what point is a pressure decay test required? I would assume a pressure decay test would have to be performed when piping parts are replaced such as fill or vapor riser pipes. What about drop tubes and their o-rings or gaskets?

ADWM answer – A pressure decay test is required when as a result of repairs the system has been opened up and the required test to verify that the component repair or replaced is operating properly. As part of being an RSR and having the knowledge required under R20-2-601 "Qualification; License and Renewal Application" you should know which test would be required to demonstrate that the repaired or replaced component is operating properly.